

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on December 12, 2003, and the references cited therewith. In response thereto, claims 1, 5, 9 and 18 are amended. Reconsideration of the claims is respectfully solicited.

§103 Rejection of the Claims

Claims 1-12 and 14-60 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Fig. 1 Prior Art. Applicant respectfully traverses this rejection based upon amendments to the claims and in light of the arguments in support of patentability presented below.

Applicant respectfully notes that the above obviousness rejection under 35 U.S.C. § 103(a) cites only one reference to support the rejection. No second reference is combined to fulfill the elements missing from "Applicant's Fig. 1 Prior Art." Applicant therefore assumes that the Examiner is taking Official Notice of elements in the claims (such as "interleaving") which are not found in the single reference cited. Applicant respectfully traverses this Official Notice and requests the Examiner to either 1.) cite references in support of this position pursuant to M.P.E.P. § 2144.03, or 2.) submit an affidavit as required by 37 C.F.R. § 1.104(d)(2) to support this position.

Applicant has amended independent claims 1, 5, 9 and 18 of this patent application to clarify the differences between the present invention and "Applicant's Fig. 1 Prior Art." However, the remaining claims (claims 14-17 and 22-60) do not require amendment since they already distinguish over the prior art. Applicant respectfully asserts that all the claims have not been given a thorough examination and comparison to the "Applicant's Fig. 1 Prior Art" since only claim 1 is analyzed. For example, unamended claims 14, 22, 26, etc., describe interleaving between memory cores of the first and second banks. However, "Applicant's Fig. 1 Prior Art" does not show such interleaving.

Since all of the elements of the claimed invention are not found in "Applicant's Fig. 1 Prior Art" cited in the First Office Action, the rejection of claims 1-12 and 14-60 under 35 U.S.C. §103(a) is incorrect. Applicant respectfully requests reconsideration of the claims and allowance of all claims.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6904 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12th day of March, 2004.

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